

GARRISON'S OFFICE CHARGES ANDREWS

Trial Testimony Results in New Perjury Count

By CLARENCE DOUCET

Dean A. Andrews, the hip-talking, slow-walking attorney who admitted during the conspiracy trial of Clay L. Shaw that "my mouth ran ahead of my brain," found himself in more legal trouble Wednesday.

Another charge of perjury was filed against Andrews by the office of District Attorney Jim Garrison.

The charge was contained in a bill of information filed Wednesday afternoon with the clerk of court's office for Criminal District Court. It was signed by Andrew J. Sciambra, assistant DA, and stemmed from Andrews' testimony during Shaw's trial.

The bill said that Andrews' trial testimony was "materially contradictory of and inconsistent with" prior sworn testimony before the Orleans Parish Grand Jury on March 16, 1967.

THIRD TIME IN WEEK

The charge against Andrews marked the third time this week that the DA's office has filed charges in the wake of Shaw's acquittal last Saturday.

Shaw was found not guilty on a charge that he participated in a conspiracy to assassinate President John F. Kennedy.

On Monday, Shaw was charged with two counts of perjury in a bill of information signed by Garrison. Garrison claimed Shaw lied on the witness stand when he said he never knew Lee Harvey Oswald or David W. Ferrie.

The conspiracy charge against Shaw alleged that he conspired with Oswald and Ferrie.

Shaw was released on his own recognizance as was Thomas Bethell, a former investigator for Garrison, who was the object of a bill of information filed on Tuesday.

Bethell was charged with illegal use of movable property. More specifically, Garrison claims Bethell transmitted a copy of the Shaw trial memorandum and list of

state witnesses to one of Shaw's attorneys last August.

HAGGERTY TO DECIDE

The bill of information on Andrews—who is already appealing one perjury conviction and awaiting trial on another

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—recommended that bond be set at \$1,000.

In another matter related to Shaw's trial, Criminal District Judge Edward A. Haggerty said he will decide on Monday whether to cite for contempt any of the principals in the trial.

During the lengthy period preceding the trial, Judge Haggerty warned that anyone violating his guidelines regarding public statements about the case faced contempt of court citations.

Judge Haggerty indicated he will study files on the subject and decide on Monday whether any action is necessary.

Shaw will be arraigned on the new charge on March 20 before Judge Malcolm V. O'Hara Jr. Judge O'Hara has indicated that the Shaw perjury case will proceed in an orderly, normal way. He said the case will come to trial after all preliminary motions have been disposed of.

JUDGE'S DISCRETION

The perjury charges carry a penalty of one to 10 years imprisonment and \$1,000 fine for each count.

Judge O'Hara said the defense can ask for a preliminary hearing, but is not automatical-

ly entitled to one. "It would be up to my discretion."

He also indicated that in view of the widespread publicity given Shaw's trial he will consider setting guidelines for the press.

"But I just got this case . . . and I haven't formulated any policies yet. A lot can happen before this thing comes to trial."

Andrews, a roly-poly lawyer who wears sunglasses most of the time, testified during the Shaw trial that a story attributed to him that a man named Clay Bertrand called him after the Kennedy assassination and asked him to defend Oswald was a "figment of my imagination."

Of his 14 pages of testimony to the Warren Commission, Andrews characterized them as "page after page of bull."

The Warren Commission, which investigated the assassination of President Kennedy, said that Oswald, acting alone, killed the President.

QUESTIONING CITED

In citing the cause for the new charge of perjury lodged against Andrews, a former Jefferson Parish assistant DA, the bill of information cited the following questioning by James Alcock, assistant DA, on An-

Andrews Faces Another Perjury Charge

Andrews' cross-examination (he was a defense witness);

Alcock: "Do you mean to tell me at this time you are now telling this court under oath that no one called you on behalf of the representation of Lee Harvey Oswald in Dallas?"

Andrews: "Per se, my answer is yes. No one called me to say that. The phone call I received was a local call from Gene Davis involving two people who were going to sell an automobile and they wanted the title notarized, and a bill of sale notarized."

Alcock: "Are you saying now that the call, as far as it regards the representation of Lee Harvey Oswald, was a figment of your imagination?"

Andrews: "I have tried to say that consistently, and nobody ever gave me a chance."

The bill of information said that the above statements were "materially contradictory of and inconsistent with his prior sworn testimony before the Orleans Parish Grand Jury on March 16, 1967; relative to the grand jury's investigation into the assassination. . ."

QUIZZED BY BURNES

Andrews was questioned at that time by a former assistant DA, Richard V. Burnes, and this series of question and answers are cited:

Burnes: "Now, what was the nature of your being contacted by Clay Bertrand at this time?"

Andrews: "You are the only guy in all of them that ever asked me that. I'll elucidate (like in Enrico Caruso).

Burnes: "You mean that you have never been asked why Clay Bertrand contacted you?"

Andrews: "That's right. You're the first one who ever asked me."

Burnes: "Now about the Warren Committee (sic)?"

Andrews: "No, they contacted it a different way; they got an answer out of me, but they never got the whole thing."

Burnes: "All right. Would you tell us?"

Andrews: "A voice that I identify as Clay Bertrand called me at the hospital and asked me if I would represent Lee Oswald in Dallas. Nobody ever asked me about a fee or anything else. He said I would get real famous and he would get in touch with Lee Oswald so I could represent him. That's the part nobody ever asked me. As soon as I said I heard the voice of Clay Bertrand—blump—they all cut off."

Burnes: "Now what did you tell this subject?"

Andrews: "I told him I was in the hospital and couldn't go." Garrison maintained that Clay

Bertrand was an alias used by Shaw; Shaw denied ever having any alias. Davis, a French Quarter bar and restaurant operator, denied in testimony during Shaw's trial that he called Andrews the day after the assassination. He also said he had never used the name Clay Bertrand, nor was he ever introduced to Andrews by that name.